

The President announced that he voted "Yea."

Accordingly the Senate at 12:01 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

April 7, 1965

S. B. No. 399

S. C. R. No. 64

FORTY-SEVENTH DAY

(Thursday, April 8, 1965)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Creighton	Ratliff
Parkhouse	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Creighton was granted leave of absence for today on account

of important business on motion of Senator Hardeman.

Senator Parkhouse was granted leave of absence for today on account of important business on motion of Senator Herring.

Senator Ratliff was granted leave of absence for today on account of illness in the family on motion of Senator Rogers.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
April 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 84, Congratulating W. R. Beaumier of Lufkin, Texas, for receiving the Distinguished Service Award.

H. C. R. No. 85, Welcoming Governor Praxedis Balboa to the State Capitol.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Senate Resolution 444

Senator Herring offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mrs. P. J. Smidt, charming mother of Mrs. Culp Krueger, wife of our distinguished colleague, Senator Culp Krueger; Mrs. Ruth Frnka, sister of Senator Krueger, and Mrs. Betty Krueger, his sister-in-law; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; and extend our best wishes to them; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the guests, together

with Mrs. Krueger to the Members of the Senate.

Senate Bill 502 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Rogers:

S. B. No. 502, A bill to be entitled "An Act relating to the compensation of the stenographer to the district attorney of the 64th Judicial District; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 503 on First Reading

Senator Cole moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Patman
Cole	Reagan
Colson	Richter
Crump	Rogers
Dies	Schwartz
Hall	Snelson
Hardeman	Spears
Harrington	Strong
Herring	Watson
Hightower	Word
Kazen	

Absent

Hazlewood

Absent—Excused

Creighton	Ratliff
Parkhouse	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Cole, Bates and Schwartz:

S. B. No. 503, A bill to be entitled "An Act relating to the authority of a guardian to purchase or to continue in effect life, term, or endowment insurance and annuity policies admin-

istered by the Veterans Administration; amending Subsections (b) and (c), Section 390, Texas Probate Code, as amended; and declaring an emergency."

To the Committee on Insurance.

House Concurrent Resolution 85 on Second Reading

On motion of Senator Bates and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

H. C. R. No. 85, Welcoming Governor Praxedis Balboa to the State Capitol.

The resolution was read and was adopted.

Senate Resolution 446

Senator Hardeman offered the following resolution:

Whereas, A century ago, on April 9, 1865, one of the greatest dramas in the history of America was unfolded as the Army of Northern Virginia, Confederate States of America, was surrendered by General Robert E. Lee to Lieutenant-General U. S. Grant in a small private residence at Appomattox Courthouse, Virginia, and the rights of the States guaranteed by the Tenth Amendment to the Constitution of the United States were, in fact, abolished; and

Whereas, The final surrender came almost as an anticlimax to eight days of chaos when General Lee's army, on April 2, outnumbered three to one, abandoned the breastworks at Petersburg and began its fighting retreat over the 85 miles to Appomattox Courthouse, while the Capital City of Richmond defended only by convalescent remnants of Confederate troops, was pillaged and looted by mobs of both sexes and colors; and

Whereas, The end to four years of civil war, which tore the nation, slaughtered 617,000 Americans, and gave birth to modern warfare, was signaled when President Abraham Lincoln telegraphed General Grant: "Gen. Sheridan says 'If the thing be pressed I think that Lee will surrender.' Let the thing be pressed."; and

Whereas, The President of the United States, with his wife, left his headquarters at City Point and board-

ed the steamer Malvern for the trip up the James River to Richmond, but the ship ran aground, and President Lincoln was forced to continue his journey to the captured Confederate capital on a barge, towed by a tug; and

Whereas, Confederate General John B. Gordon formed his attack about a half mile from the courthouse at Appomattox, and the sharp skirmish of the fire grew into a furious heavy volume of musketry; and as the sun drove away the mists of that Sunday morning, it looked upon a scene to become a thrill to southern hearts forevermore: "In a steady line, sustained on the left by artillery, which flamed forth at every step, with cavalry charging fiercely on the right, the Confederate line of battle scarlet almost from the array of battle flags floating over it, went forth to death, driving before it masses of blue cavalry and artillery"; and

Whereas, General Gordon's forces could not sustain the drive and soon fell back to Appomattox Courthouse; there was no help forthcoming for the hardpressed troops, and the only course left was surrender; and

Whereas, An aide to General Lee, Colonel Charles Marshall, was asked by the General to find a suitable place for the meeting with General Grant; he learned of a private residence belonging to Mr. Wilmer McLean, a citizen who had lived on the battlefield at Bull Run and had moved to Appomattox Courthouse to get away from the war, and General Lee waited in the parlor of this small home for a half hour with Colonel Orville Babcock of General Grant's staff before General Grant arrived with a large body of mounted men; and

Whereas, General Lee and his troops had destroyed all their baggage, salvaging only one uniform each, and the Confederate General, standing ramrod straight, was wearing the dress attire he chose to save, a splendid gray uniform, a jeweled sword, boots ornamented with red stitching, his aristocratic bearing and impressive flowing silver beard never suggesting that he filled the role of the conquered; and

Whereas, In contrast, General Grant, short and stocky, wore the drab blue uniform of the private with nothing to note his rank but his shoulder straps; his blouse was unbuttoned, and his hair and beard were brown with a trace of gray, although,

at 42, he was some sixteen years General Lee's junior; and

Whereas, The terms of surrender were written at a marble-topped table in the corner of the room, and after some bargaining, General Lee agreed to the surrender, which laid down the arms of some 28,000 Confederate soldiers; and

Whereas, The Senate of Texas wishes to commemorate this episode in the history of the United States which restored the Union, but has never dimmed the pride of the South in a heritage made great by the valor and dedication of her heroes; now, therefore, be it

Resolved, That the Senate of the 59th Legislature by this Resolution commemorate the Centennial of the Confederate surrender at Appomattox Courthouse; and be it further

Resolved, That the Senate of Texas, as a memorial to the men who died in the fight to preserve the rights of the states, reiterate the stirring words used by General Robert E. Lee as he last addressed his troops: "With an unceasing admiration for your constancy and devotion to your country, and a grateful remembrance of your kind and generous consideration for myself, I bid you an affectionate farewell."

The resolution was read.

Question—Shall the resolution be considered immediately?

Reports of Standing Committees

Senator Snelson by unanimous consent submitted the following report:

Austin, Texas,
April 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 502, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SNELSON, Vice-Chairman.

Senator Moore by unanimous consent, submitted the following reports:

Austin, Texas,
April 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Edu-

cation, to which was referred S. B. No. 385, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
April 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 487, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Hazlewood by unanimous consent submitted the following reports:

Austin, Texas,
April 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 102, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
April 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 655, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
April 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. C. R. No. 46, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
April 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 473, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
April 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 475, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senator Moore by unanimous consent submitted the following report:

Austin, Texas,
April 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 268, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Message From the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,
April 6, 1965.

To the Senate of the Fifty-Ninth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Board of Directors of the Lavaca County Flood Control District Number 3, for two-year terms to expire January 1, 1967: Robert Pesek of Hallettsville, La-

vaca County; James Boska of Hallettsville, Lavaca County.

Respectfully submitted,
JOHN CONNALLY,
Governor of Texas.

Executive Session

Senator Krueger announced the time had arrived for the Senate to go into Executive Session at 10:30 o'clock a.m. today, (the notice for Executive Session having been given on yesterday).

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations:

To be members of the Board of Regents of the University of Houston, for six-year terms to expire September 1, 1969: Jack Valenti of Houston, Harris County; George Hawn of Corpus Christi, Nueces County; Ed Manion of Beaumont, Jefferson County. For four-year terms to expire September 1, 1967: Corbin Robertson of Houston, Harris County; A. J. Farfel of Houston, Harris County; Mrs. Gus Wortham of Houston, Harris County. For two-year terms to expire September 1, 1965: James A. Elkins, Jr., of Houston, Harris County; James T. Duke of Johnson City, Blanco County; Colonel William B. Bates of Houston, Harris County.

To be members of the State Board of Registration for Professional Engineers, for six-year term to expire September 24, 1969: James S. Naismith of Corpus Christi, Nueces County. To fill the unexpired term of H. O. Hodson, resigned, term to expire September 24, 1967: Donald C. Klein of Odessa, Ector County.

To be a member of the State Board of Insurance, for a six-year term to expire January 31, 1971: Durwood Manford of Smiley, Gonzales County.

To be a member of the Pilot Commissioners for the Sabine Bar, Pass and Tributaries, to fill the unexpired term of Neal D. Radar, deceased,

term to expire June 15, 1965: Donald C. Webb of Port Arthur, Jefferson County.

To be members of the Board of Directors of the Lavaca County Flood Control District Number 3: For two-year terms to expire January 1, 1967: Robert Pesek of Hallettsville, Lavaca County; James Boska of Hallettsville, Lavaca County.

To be members of the Texas State Historical Survey Committee, for six-year terms to expire January 1, 1971: Lewis R. Timberlake of Austin, Travis County; Edward H. Harte of Corpus Christi, Nueces County; Charles R. Woodburn of Amarillo, Potter County; Patrick E. Taggart of Waco, McLennan County; Thomas C. Unis of Dallas, Dallas County; R. Don Thorne of El Paso, El Paso County. To fill the unexpired term of Roy Cullen, resigned, term to expire January 1, 1967: Robert L. Lowry of Houston, Harris County. To fill the unexpired term of Jenkins Garrett, resigned, term to expire January 1, 1969: A. M. Pate, Jr., of Fort Worth, Tarrant County. To fill the unexpired term of E. R. Wright, deceased, term to expire January 1, 1969: Harold L. Kennedy of Palestine, Anderson County.

To be a member of the Texas Industrial Commission, for a six-year term to expire February 15, 1971: Chester C. Wine of Corpus Christi, Nueces County.

In Legislative Session

The President called the Senate to order as In Legislative Session at 10:55 o'clock a.m.

Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

H. C. R. No. 85, Welcoming Governor Jraxedis Balboa to the State Capitol.

H. C. R. No. 80, Granting permission to either House to adjourn from Thursday, April 15, 1965, to Tuesday, April 20, 1965.

Committee to Escort Governor Balboa to Joint Session

The President announced the appointment of Senators Aikin, Bates,

Hardeman, Herring and Kazen as a committee to escort Governor Balboa to the Joint Session pursuant to the provisions of S. C. R. No. 64.

Joint Session

(To hear an address by the Honorable Praxedis Balboa of the State of Tamaulipas, Mexico)

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 11:00 o'clock a.m. to hear the Honorable Praxedis Balboa, pursuant to the provisions of S. C. R. No. 64.

On invitation of the Speaker, the Presiding Officer (Senator Hardeman) occupied a seat on the Speaker's Rostrum.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

Governor Balboa and party were announced at the Bar of the House and Governor Balboa escorted by Senators Aikin, Bates, Hardeman, Herring, and Kazen on the part of the Senate, and Representatives Murray, Pipkin, Longoria, Atwood, Ligarde, Thurmond, Montoya, Rapp and Felix McDonald on the part of the House proceeded to the Speaker's Rostrum.

The Presiding Officer (Senator Hardeman in the Chair) called the Senate to order, and announced a quorum of the Senate present.

The Honorable Ben Barnes, Speaker of the House of Representatives, called the House to order, stated the purpose of the Joint Session and announced a quorum of the House present.

The Speaker of the House presented the Honorable John Connally, Governor of Texas, to the Joint Session.

Governor Connally addressed the Joint Session and then presented the Honorable Praxedis Balboa of the State of Tamaulipas to the Joint Session. (Representative Ligarde interpreted for Governor Connally.)

Governor Balboa addressed the Joint Session. (Senator Bates interpreted for Governor Balboa.)

The Speaker of the House present-

ed Senator Kazen to the Joint Session and he made the following presentations:

Mrs. John Connally, wife of the Governor of Texas.

Mrs. Praxedis Balboa.

Mr. Amando Treviño, Director of Turismo, and Mrs. Treviño.

Mr. Morelos Canseco, Secretary of Government, and Mrs. Canseco.

Mr. Ruperto Villarreal, Nuevo Laredo, chairman of local group of International Good Neighbor Council, director of newspaper "El Diario" of Nuevo Laredo.

Mr. Isidro González Saldaña, Mayor of Matamoras.

Mr. Manuel Tárraga, Mayor of Reynosa.

Mr. Ernesto Ferrará, Mayor of Nuevo Laredo.

Mr. Enrique Angelini, Governor's party.

Mr. Alberto Burgos, Governor's party (aide).

Mr. Emilio Valladares, Governor's party (cameraman).

Mr. Juan Vano, Governor's party (photographer).

Mr. Francisco Juaristi, Director of newspaper "El Mañana."

Mr. Raul Acedes, Director of newspaper "El Herald" of C. Victoria.

Mr. Roberto Escamilla, assistant director of "El Sol de Tampico."

Mr. Victor Manuel Calzado, newspaper "El Mundo" of Tampico.

Mr. Miguel Ruiz, newspaper "El Bravo" of Matamoras.

Mr. Regino Díaz Arredondo, newspaper "Excelsior" of Mexico City.

Senator Kazen then presented Governor Balboa with an enrolled copy of S. C. R. No. 64, inviting Governor Balboa to address the Joint Session, which he read to Governor Balboa.

The Speaker of the House then presented Representative Bonilla.

Mr. Bonilla presented an enrolled copy of H. C. R. No. 85, welcoming Governor Balboa to the State Capitol.

Speaker of the House presented the Honorable Preston Smith, Lieutenant Governor of the State of Texas, and Mrs. Smith to the Joint Session.

The Presiding Officer (Senator Hardeman in the Chair) announced at 11:45 o'clock a.m. that the purpose of the Joint Session having been con-

cluded the Senate would take recess until 2:00 o'clock p.m. today pursuant to a motion previously adopted in the Senate.

In Legislative Session

The President called the Senate to order as In Legislative Session at 2:00 o'clock p.m. today.

Senator Aikin raised the Point of Order that all business transacted after the time had arrived for the convening of the Joint Session and having appointed an Escort Committee and the Members of that Committee having retired from the Senate Chamber, the Senate could not transact any business.

The President sustained the Point of Order.

Senator Aikin asked unanimous consent that all references to any business transacted after the Senate left for the Joint Session be deleted from the Journal.

There was no objection offered.

Memorial Resolutions

S. R. No. 448—By Senator Watson: Memorial resolution for John Kattner.

S. R. No. 449—By Senator Watson: Memorial resolution for J. Omar Cole.

Welcome Resolutions

S. R. No. 441—By Senator Watson: Extending welcome to Harry Province, President of Waco Chamber of Commerce, et al.

S. R. No. 442—By Senator Watson: Extending welcome to Mr. and Mrs. Lester Jordan.

S. R. No. 443—By Senator Watson: Extending welcome to Hank Schulte.

S. R. No. 445—By Senator Herring: Extending welcome to students and teacher of Blanton Elementary School of Austin.

S. R. No. 447—By Senator Snelson: Extending welcome to C. E. Marsh II, et al. of Midland.

Adjournment

On motion of Senator Aikin the Senate at 2:05 o'clock p.m. adjourned until 10:30 o'clock a.m. on Monday, April 12, 1965.

FORTY-EIGHTH DAY

(Monday, April 12, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 8, 1965, was dispensed with and the Journal was approved.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
April 12, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 158, A bill to be entitled "An Act providing a 25 cent fee for the issuance of exemption hunting licenses; amending Section 8, Chapter 370, Acts of the 55th Legislature, 1957; and declaring an emergency."

H. B. No. 193, A bill to be entitled "An Act validating the incorporation of cities and towns heretofore incorporated or attempted to be incorporated under the general laws of Texas; validating the boundary lines thereof, as said boundaries may have been changed by Ordinance